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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,875	08/25/2000	Yoshikatsu Uetake	OKI 260	4073

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EXAMINER

HAN, CLEMENCE S

ART UNIT PAPER NUMBER

2665

DATE MAILED: 12/05/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/645,875

Applicant(s)

UETAKE ET AL.

Examiner

Clemence Han

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/25/00 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "120b" has been used to designate both switching correspondence unit and network switching controller. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The disclosure is objected to under 37 CFR 1.71, as being so incomprehensible as to preclude a reasonable search of the prior art by the examiner. For example, the following items are not understood: write/read enable signals and write/read signals in page 14.

Applicant is required to submit an amendment which clarifies the disclosure so that the examiner may make a proper comparison of the invention with the prior art. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

A shortened statutory period for reply to this action is set to expire ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter.

4. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: respectively in page 7.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
7. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.
8. As an example, the last four lines of page 29 is indefinite. For another example, the line 2-3 of claim 4 says "the switching correspondence means comprises switch memory means...". However, the switch system comprises the switching correspondence means and switch memory according to the claim 1 which the claim 4 depends on. For another example, line 13-17 of claim 5 is indefinite.
9. Claim 4 recites the limitation "the switching unit" in the line 3. There is insufficient antecedent basis for this limitation in the claim.
10. These are only examples of indefiniteness the examiner found and not the complete list of errors. The examiner advise for complete revisions of both the specification and the claims.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US Patent 4,759,012) in view of Ohtawa (US Patent 5,130,979).

In regarding to claim 1, Suzuki teaches multiplexing means 20 for multiplexing time slots from a plurality of circuits, switching memory means 6 for storing and switching data of the time slots supplied from the multiplexing means, for one frame portion (Column 4 Line 63-64), switching control means 22 comprising switching correspondence means 22 for directing interchange of the time slots of the switching memory means in response to a switching request from an upper layer controller 12, demultiplexing means 21 for demultiplexing data as read out using data supplied from the switching correspondence means as addresses of the switching memory means into the plurality of the circuits, the switching correspondence means further comprising: information receiving means 10 for receiving connection information from the upper layer controller, read-out regulating means 10 for writing the connection information received through the

information receiving means to an address designated by the connection information, in a first memory means 11 and a second memory means 11 and read-out selection means 19 for selecting read-out from either the first memory means of the read-out regulating means or the second memory means of the same. Suzuki, however, does not teach explicitly the network switching control means for generating a switching signal. Ohtawa teaches the network switching control means 11 for generating a switching signal (Column 2 Line 40-41). It would have been obvious to one skilled in the art to modify Suzuki to include the network switching control means for generating a switching signal as taught by Ohtawa in order to achieve efficiency through synchronization.

In regarding to claim 2, Ohtawa teaches the use of a dual-port memory capable of independently and simultaneously writing and reading (Column 1 Line 34-38).

In regarding to claim 3, Ohtawa teaches the switching signal coinciding with the forefront of a frame (Figure 2).

In regarding to claim 4, the examiner understood “switching memory means” as “control memory unit” in Figure 2. Suzuki teaches the switching memory means 11 that is disposed between the information receiving means 10 and the read-out selection means 19. Suzuki, however, does not teach explicitly

the network switching control means for generating a switching signal. Ohtawa teaches the network switching control means 11 for generating a switching signal (Column 2 Line 40-41). It would have been obvious to one skilled in the art to modify Suzuki to include the network switching control means for generating a switching signal as taught by Ohtawa in order to achieve efficiency through synchronization.

In regarding to claim 5, Suzuki teaches a multiplexing step 20, a writing step 6, data interchange step 22 and a demultiplexing step 21. Suzuki, however, does not teach explicitly the use of a switching directive from the upper layer. Ohtawa teaches the use of a switching directive from the upper layer (Column 2 Line 40-41). It would have been obvious to one skilled in the art to modify Suzuki to include the switching directive from the upper layer as taught by Ohtawa in order to achieve efficiency through synchronization.

In regarding to claim 6, Suzuki teaches an information receiving step 10, an information input/output step 10, a selection step 19 and a read-out step 6. Suzuki, however, does not teach explicitly a switching signal generation step. Ohtawa teaches the switching signal generation step (Column 2 Line 40-41). It would have been obvious to one skilled in the art to modify Suzuki to include the switching

signal generation step as taught by Ohtawa in order to achieve efficiency through synchronization.

In regarding to claim 7, Suzuki teaches an information receiving step 10, an information writing step 10, a copying step 11, a read-out step 11 and a selection step 19. Suzuki, however, does not teach explicitly a switching signal generation step. Ohtawa teaches the switching signal generation step (Column 2 Line 40-41). It would have been obvious to one skilled in the art to modify Suzuki to include the switching signal generation step as taught by Ohtawa in order to achieve efficiency through synchronization.

In regarding to claim 8, Suzuki teaches the copying step 11 and the read-out step 11 and using the data as read-out addresses for the data of the time slots written in the writing step (Figure 3).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to the switching system.

U.S. Patent 4,680,752 to Takemura et al.

U.S. Patent 4,740,953 to Matsumoto et al.

U.S. Patent 5,040,174 to Takeuchi et al.

U.S. Patent 5,123,012 to Suzuki et al.

U.S. Patent 5,627,826 to Kameda et al.

U.S. Patent 5,862,136 to Irwin

U.S. Patent 6,034,959 to Mizukoshi et al.

U.S. Patent 6,137,795 to Tominaga et al.

U.S. Patent 6,269,097 to Keun et al.

U.S. Patent 6,556,566 to Ikeda

U.S. Patent 6,570,873 to Isoyama et al.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (703) 305-0372. The examiner can normally be reached on Monday-Friday 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Clemence Han
Examiner
Art Unit 2665



HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600